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CURRENT LEGAL PERIODICALS AND BOOK
REVIEWS.

THE EXPANSION OF THE COMMON LAW. By SIR FREDERICK POLLOCK, BART, D.C.L. Pp. 164. London: Stevens & Sons. 1904.

This book consists of five lectures and an appendix: one lecture, delivered at Harvard in 1895, the others to the Law Schools of several American universities in 1903; the appendix, an article which was published in the *Law Quarterly Review*. These express the vocation of the common law, and summarize its expansion. The expansion is treated under four divisions—(1) The Foundations of Justice, (2) The Scales of Justice, (3) The Sword of Justice, (4) The Law of Reason.

In the lecture upon the vocation of the common law it is said that the ultimate authorities might be assisted to agree

upon matters of great weight in the common law by consulting each other in a great and dubious case. The author suggests that the House of Lords might desire the judges of the Supreme Court of the United States, by some indirect process, if not directly, and as a matter of personal favor, to communicate their collective or individual opinions on any question of general law. These American opinions, says Sir Frederick Pollock, would have been especially valuable in a case like that of *Dalton v. Angus*.

The lecture upon "The Foundations of Justice" may be mentioned as an example of the method of the book. By curious examples it traces, through the most primitive tribunals of the thirteenth century to the seemingly unrelated ones of to-day, a continuity of four fundamental conceptions of the common law. The courts of justice are public; they judge between parties, and do not undertake an official inquiry, not even in criminal cases or in affairs of state; the court itself is the only authorized interpreter of the law which it administers, and there is no personal or official privilege against its jurisdiction.

P. D.

BABYLONIAN AND ASSYRIAN LAWS, CONTRACTS, AND LETTERS.

By C. H. W. JOHNS, M.A. Pp. xxii + 424. New York: Charles Scribner's Sons. 1904.

This is the sixth of the nine volumes of the "Library of Ancient Inscriptions" which are now being published under the general editorship of Charles Foster Kent and Frank Knight Sanders, both of Yale University. Each volume is written by an authority in the special department of which it treats, and the series forms one comprehensive whole which renders available for the student and general reader the original texts and documents of Egypt, Assyria, and Babylonia.

The present volume on "Babylonian and Assyrian Laws, Contracts, and Letters" is of special value to the legal profession. From these documents we are able to observe the system of jurisprudence and the customs of a civilization which antedates those of Rome, Greece, and Palestine. It yet remains to be determined to what extent we are actually indebted for our legal institutions to the peoples who once dwelt in Mesopotamia.

From the inscriptions which have been thus far translated we learn of the existence of a complicated system of law courts, judges, and witnesses; of the law governing marriage and divorce, inheritance and dower, of public rights and the duties of individuals to serve in the army and of riparian own-